

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JUN 21 1977

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUN 21 1977 under 32164

The applicant Joe Sustacha, Jr. and Sons c/o Boyack Surveying, Inc.

582½ West Cedar Street, of Elko
Street and No. or P.O. Box No. City or Town

Nevada 89801, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground Well No. 2
Name of stream, lake or other source.

2. The amount of water applied for is 0.5 second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet _____ acre-feet

3. The water to be used for Stockwater
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) _____

(b) Stockwater (state number and kinds of animals to be watered) 500 cattle

(c) Other use (describe fully under "No. 12. Remarks") _____

(d) Power:

(1) Horsepower developed _____

(2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point: NW¼NE¼ Section 33, T.35N.,

R.56E., MDM at a point from which the E¼ corner of said Section 33

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

bears S. 48° 37' 23" E. 2409.45 feet

it should be stated.

6. Place of use W½ NE¼; SE¼ NE¼; E¼ SE¼; Section 33, T.35N., R.56E., MDM.
Describe by legal subdivision, if on unsurveyed land it should be so stated.

W½ NW¼; NW¼ SW¼ Section 3, T.34N., R.56E., MDM

7. Use will begin about January 1 and end about December 31, of each year.
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well ± 7600 feet pipeline with
troughs.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$5,000.....
10. Estimated time required to construct works.....1 yr.....
11. Estimated time required to complete the application to beneficial use.....3 yrs.....
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicant Joe Sustacha, Jr. and Sons.....

By.....s/ Alan S. Boyack
Alan S. Boyack
582½ West Cedar Street
Elko, Nevada 89801

Compared 1p/ga.....bl/dc.....

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0156.....cubic feet per second, or sufficient water to water 500 head of cattle.

- Actual construction work shall begin on or before.....June 27, 1978
- Proof of commencement of work shall be filed before.....July 27, 1978
- Work must be prosecuted with reasonable diligence and be completed on or before.....June 27, 1979
- Proof of completion of work shall be filed before.....July 27, 1979
- Application of water to beneficial use shall be made on or before.....June 27, 1980
- Proof of the application of water to beneficial use shall be filed on or before.....July 27, 1980
- Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD
Completion of work filed.....State Engineer of Nevada, have hereunto set my hand and the seal of
Proof of beneficial use filed.....my office, this 27th day of DECEMBER

Cultural map filed.....

Certificate No.....Issued.....A.D. 19 77

Recorded.....Bk.....Page.....AUG 28 1979

CANCELLED.....County Recorder.....